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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,194	11/08/2001	Dominique Busseuil	1001-066	2143
7590	03/10/2004		EXAMINER	
Eric M. Dobrusin Dobrusin & Thennisch PC Suite 311 401 South Old Woodward Avenue Birmingham, MI 48009			CHANG, VICTOR S	
			ART UNIT	PAPER NUMBER
			1771	
DATE MAILED: 03/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/008,194

Applicant(s)

BUSSEUIL ET AL.

Examiner

Victor S Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 and 32-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 32-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/21/04.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. The Examiner has carefully considered Applicants' amendments and remarks filed on 1/21/2004. Applicants' amendments to claims 1, 21, 33 and 35 have been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Rejections not maintained are withdrawn.

### ***Response to Amendment***

4. Claims 1-27 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hopton et al. (US 6253524) in view of SU 806446 (Derwent Abstract), substantially for the reasons set forth in sections 5 of Paper No. 111903, together with the following additional observations.

It is noted that newly amended claim 1, lines 7-8, now recites in part "at least one extension is integrally molded with the carrier and of the same material as the carrier", and essentially the same element is incorporated in newly amended claims 21 and 35.

Upon reconsideration, the Examiner notes that Hopton teaches that the carrier 28 may be provided in a variety of configurations of sheet metal such as steel or aluminum, synthetic resin such as nylon (column 4, lines 9-11). Additionally, Hopton also teaches that the directional foaming shelves (which forms ribs or extension) 40 and 42 may be made of sheet metal such as steel or aluminum, or alternatively of nylon or

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other synthetic resin material (column 5, lines 30-32). While Hopton lacks a specific teaching that the carrier and the extension are integrally molded with the same material, it is noted that SU '446 teaches that the process for forming extruded hollow profiled articles from thermoplastics having a complex configuration with thin projecting elements as various construction elements in automobiles, etc., is known art (Abstract). As such, it would have been obvious to one of ordinary skill in the art to make Hopton's structural member with the same synthetic resin such as nylon and by a profile extrusion process of SU '446, motivated by the desire to reduce the cost of manufacturing.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In addition, the following references are cited of interest for making extruded high impact resistant parts:


US 4536541 to Latham is directed to high impact resistant polyamide resins (Abstract), which may contain various reinforcing ingredients such as glass fiber (column 1, lines 66-67), and fabricated into automobile body parts by injection molding, extrusion, etc. (column 5, lines 46-50).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 571-272-1474. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor S Chang  
Examiner  
Art Unit 1771

3/2/2004